

# EXHIBIT 1

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVID CERVANTES, JAMES PEREZ,  
GEORGE FRANCO, TRINIDAD  
MARTINEZ, and GUILLERMO SOLORIO

Defendants.

**Case No.:** CR 21–328 YGR

**ORDER MODIFYING PRETRIAL  
SCHEDULE**

**Court:** Courtroom 1, 4th Floor

After this Court continued the trial date to June 3, 2024, the parties met and conferred and propose the below pretrial schedule:<sup>1</sup>

Event	Deadline/Date
Gov't Discovery Cutoff Deadline (Discovery produced thereafter shall be excluded absent good cause)	<b>January 2, 2024</b>  Proposed deadline five months before trial is one month longer than previously set.
Motion to Suppress Wiretap	Mot. re TT13, 17, 19, 21-23: October 18, 2023 (Dkt. 962) Mot. re TT16: November 6, 2023 (Dkt. 1000) <b>Omnibus Opp'n: November 15, 2023</b> <b>Omnibus Reply: December 7, 2023</b> <b>Hearing: December 14, 2023, 9 a.m.</b>
<i>Hearing on Motion to Suppress Wiretap</i>	<b>December 14, 2023, 9 a.m.</b>
Status Conference	<b>January 11, 2024, 9 a.m.</b>  Proposed date supplants date for original First Pretrial Conference at Dkt. 910 at 4.
Motion to Suppress Non-Wiretap Evidence, Motion to Dismiss, Motion Alleging Defects in Indictment	<b>Mot.: January 11, 2024</b> <b>Opp'n: February 8, 2024</b> <b>Reply: February 22, 2024</b> <b>Hearing: March 7, 2024, 9 a.m.</b>
AEO De-Designation, Jencks Act Disclosures	<b>April 1, 2024</b>  Proposed date maintains Court's prior order of disclosure 60 days before trial.
<i>Hearing on Motion to Suppress</i>	<b>March 7, 2024, 9 a.m.</b>

<sup>1</sup> At the status conference, defendant Guillermo Solorio once again objected to moving the trial date back and the exclusion of time under the Speedy Trial Act. 18 U.S.C. § 3161. The Court overruled that objection and, at the request of his co-defendants and the government, moved the trial back to June 3, 2024, and excluded time under the Speedy Trial Act until that date. The Court overruled that objection for the same reasons it has previously: The Court is warranted in maintaining a joint trial in this complex RICO case for co-defendants where the government has represented that overlapping evidence would be significant and the exclusion is warranted by the ends of justice. *Id.* § 3161(h)(6). (Dkt. No. 662.)

Event	Deadline/Date
<i>Non-Wiretap Evidence, Motion to Dismiss, Motion Alleging Defects in Indictment</i>	
Proposed Additions to the Standard Survey Monkey Questionnaire	<b>March 1, 2024</b>
<i>Status Conference</i>	<b>March 7, 2024, 9 a.m.</b>  Proposed date supplants date for original Third Pretrial Conference at Dkt. 910 at 3.
Motions in Limine, <i>Daubert</i> Motions	<b>Mot.: March 14, 2024</b> <b>Opp'n: April 4, 2024</b> <b>Reply: April 18, 2024</b> <b>Hearing: May 2, 2024, 9 a.m.</b>
Joint Pretrial Conference Statement, Proposed Jury Verdict Form, Proposed Jury Instructions, Proposed Jury Questionnaires	<b>April 22, 2024</b>
<i>Second Pretrial Conference</i>	<b>May 2, 2024, 9 a.m.</b>
<i>Third Pretrial Conference</i>	<b>May 23, 2024, 9 a.m.</b>
<i>Jury Trial</i>	<b>June 3, 2024, 8 a.m.</b>

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1 IT IS SO STIPULATED.

2 DATED: November 13, 2023

Respectfully submitted,

3 THOMAS A. COLTHURST  
4 Chief, Criminal Division

5 Leif Dautch  
6 MARJA-LIISA OVERBECK  
7 LEIF DAUTCH  
8 Assistant United States Attorney

9 DATED: November 13, 2023

10 Lisa Ma  
11 JOHN PAUL REICHMUTH  
12 LISA MA  
13 *Counsel for Defendant*  
14 *Cervantes*

15 DATED: November 13, 2023

16 Shawn Halbert  
17 SHAWN HALBERT  
18 ERIK BABCOCK  
19 *Counsel for Defendant Perez*

20 DATED: November 13, 2023


21 Marsanne Weese  
22 MARSANNE WEESE  
23 *Counsel for Defendant*  
24 *Franco*

25 DATED: November 13, 2023

26 Joseph Abrams  
27 JOSEPH ABRAMS  
28 *Counsel for Defendant*  
*Martinez*

29 IT IS SO ORDERED.

30 November 27, 2023  
31 Dated

32   
33 YVONNE GONZALEZ ROGERS  
34 United States District Judge